

Attorney Docket: 009523-0290574  
Client Reference: OL98901N-US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
FUKUYAMA ET AL.

Confirmation Number: 7824

Application No.: 10/025,973

Group Art Unit: 2872

Filed: December 26, 2001

Examiner: Fineman

Title: SCANNING OPTICAL MICROSCOPE

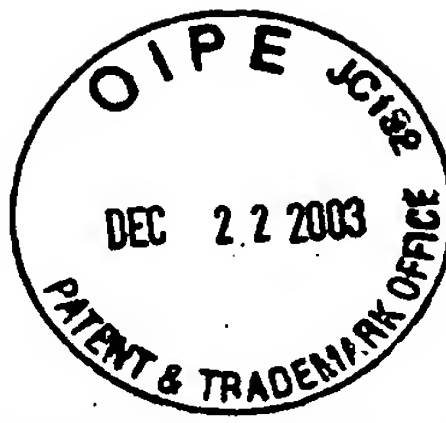
AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 25, 2003, please amend the above-identified application as follows:

Attorney's Docket 009523-0290574  
Client Reference: OL98901N-US



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
In re PATENT APPLICATION of: Confirmation Number: 7824  
HIROYA FUKUYAMA ET AL.

Application No.: 10/025,973

Group Art Unit: 2872

Filed: December 26, 2001

Examiner: Fineman

For: SCANNING OPTICAL MICROSCOPE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**AMENDMENT/RESPONSE TRANSMITTAL**

Transmitted herewith is an amendment/response for this application.

**FEES**

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE       | ADDIT.<br>FEE |
|---|---|---------------------------------------|------------------|------------|---------------|
| TOTAL                                     | 2   | - 20                                  | = 0              | x \$ 18.00 | = \$ 0.00     |
| INDEP.                                    | 2   | - 3                                   | = 0              | x \$ 86.00 | = \$ 0.00     |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |                                       | +                | \$ 290.00  | = \$ 0.00     |
| TOTAL ADDITIONAL CLAIM FEE                |   |                                       |                  |            | \$ 0.00       |
| GRAND TOTAL                               |   |                                       |                  |            | \$ 0.00       |

**FEE PAYMENT**

Authorization is hereby made to charge the amount of \$0.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: December 22, 2003

PILLSBURY WINTHROP LLP  
P.O. Box 10500  
McLean, VA 22102  
(202) 775-9832

HENRY J. DALEY  
Reg. No. 42459



GP2872

PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**40.00**

## Compleat if Known

Application Number 10/025,973  
Filing Date December 26, 2001  
First Named Inventor HIROYA FUKUYAMA  
Examiner Name Fineman  
Art Unit 2872  
Attorney Docket No. 009523-0290574

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

033975

PILLSBURY WINTHROP LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid         |
|--------------|----------|--------------|----------|------------------------|------------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |                  |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |                  |
| 1002         | 340      | 2002         | 170      | Design filing fee      |                  |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |                  |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |                  |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |                  |
| SUBTOTAL (1) |          |              |          |                        | (\$) <b>0.00</b> |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid         |
|--------------|----------|--------------|----------|--|------------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |                  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |                  |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |                  |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |                  |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |                  |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |                  |
| SUBTOTAL (2) |          |              |          |  | (\$) <b>0.00</b> |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity                              |          | Small Entity |          | Fee Description  | Fee Paid          |
|---|----------|--------------|----------|--|-------------------|
| Fee Code                                  | Fee (\$) | Fee Code     | Fee (\$) |  |                   |
| 1051                                      | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |                   |
| 1052                                      | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |                   |
| 1053                                      | 130      | 1053         | 130      | Non-English specification  |                   |
| 1812                                      | 2,520    | 1812         | 2,520    | For filing a request for ex parte reexamination                            |                   |
| 1804                                      | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |                   |
| 1805                                      | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |                   |
| 1251                                      | 110      | 2251         | 55       | Extension for reply within first month                                     |                   |
| 1252                                      | 420      | 2252         | 210      | Extension for reply within second month                                    |                   |
| 1253                                      | 950      | 2253         | 475      | Extension for reply within third month                                     |                   |
| 1254                                      | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |                   |
| 1255                                      | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |                   |
| 1401                                      | 330      | 2401         | 165      | Notice of Appeal   |                   |
| 1402                                      | 330      | 2402         | 165      | Filing brief in support of an appeal                                       |                   |
| 1403                                      | 290      | 2403         | 145      | Request for oral hearing   |                   |
| 1451                                      | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |                   |
| 1452                                      | 110      | 2452         | 55       | Petition to revive - unavoidable   |                   |
| 1453                                      | 1,330    | 2453         | 665      | Petition to revive - unintentional   |                   |
| 1501                                      | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |                   |
| 1502                                      | 480      | 2502         | 240      | Design issue fee   |                   |
| 1503                                      | 640      | 2503         | 320      | Plant issue fee  |                   |
| 1460                                      | 130      | 1460         | 130      | Petitions to the Commissioner  |                   |
| 1807                                      | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |                   |
| 1806                                      | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |                   |
| 8021                                      | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |                   |
| 1809                                      | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |                   |
| 1810                                      | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |                   |
| 1801                                      | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |                   |
| 1802                                      | 900      | 1802         | 900      | Request for expedited examination of a design application                  |                   |
| Other fee (specify) Name Change Recording |          |              |          |  | 40.00             |
| *Reduced by Basic Filing Fee Paid         |          |              |          |  |                   |
| SUBTOTAL (3)                              |          |              |          |  | (\$) <b>40.00</b> |

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Henry J. Daley Registration No. (Attorney/Agent) 42459 Telephone (202) 775-9832  
Signature Date December 22, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.